G. R. S. IX-5]

Previous references.

1895

191 .

(Mumbai)

File No.

Serial Nos.

Later references.

" 56—33-1-3

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 10.

Mumbai **Part B for** June 96

SUBJECT

Stoppage of Music before ~~Order limiting the power~~ of Mosques and Temples.

W D 88—GPB—50,000—24-7-18

No 2313/252 (1) Judicial Commissioner's Office

Bangalore 24 December 1875

From,

The Offg Judicial Commissioner
in Mysore

To,

The Secretary to the
Chief Commissioner of Mysore

Sir,

I have the honor to forward herewith copy of a letter No 319 of 30th ultimo from the Deputy Commissioner of Hassan District reporting upon the occurrence of a disturbance by the Mahomedans on the day of the Dasara festival and to bring to the notice of the Chief Commissioner the very reprehensible conduct of the Amildar in persisting to continue the procession with music when passing the Mosque and thus creating a disturbance which might have led to very serious consequences. It is more conspicuous as he must be aware that it is directly opposed to the express orders of the Chief Commissioner — prohibiting processions with music in the neighbourhood of places of worship

2. I beg further to add that though the Mahomedans were seriously provoked they were not justified in taking the law in to their own hands and using force. They should have appealed to the proper authorities for redress. This shall be pointed out to them.

I beg to remain
Sir,
Your Most obedient Servant

For Offg Judicial
in Mysore

№ 319 Deputy Commissioner's Office
Hassan District

Dated Hassan 30th November 1875

To,

The Deputy Inspector General
of Police.

Sir,

In reply to your docket V. $\frac{2729}{446}$ dated 22nd November 1875, forwarding 2 petitions dated 11th October 1875 from certain inhabitants of Hassan regarding the disturbance that took place at a procession on the last day of Dasara I have the honor to submit the following report.

The facts of the disturbance as far as I have heard, were that on the 10 October last, the Keseradevaru procession chiefly formed of tri-marked Brahmins and presided over by Amildar Srinivasa Iyengar of Hassan Taluk and Mr. 2nd Assistant Commissioner Srinivasa Iyengar, started at about 5 P.M. while passing the street called Hograline" the musicians as usual stopped the music as they approached the Mosque; but the Amildar indignantly ordered them

to continue the music and he rebuked one of the Mussulmen who informed him that this order was against the existing custom, the procession then proceeded on to the place of worship outside the town and at 8 P.M commenced to return, the Police Assistant and other Police Officers being with the procession.

Soon after it entered the town the Police Assistant, who had received my orders to proceed to Moodgherry that day with Sub-Inspector Hussain Ali Beg, left the procession for his house, telling Inspector Ameer Hassan to go home and see that his guest Hussen Ali Beg was ready to start soon; Sub Inspector Narrain Singh being left with the procession to keep order during its course

A few minutes after this, the Amildar seeing that a large number of Mahomedans were collected before the Mosque, suspected that a disturbance might take place, he therefore requested Sub-Inspector Narrain Sing to go forward and see why so many Mo

3 did so and found that the men were engaged in prayer, it being the month of Ramzan, he warned them not to cause any breach of the peace and returned to join the procession, which had in the meantime, advanced near the Mosque with music playing.

Some Mussulmen again requested the Amildar to order the music to stop while the procession passed the Mosque; but it would appear that the Amildar instead of doing so spoke angrily to these men, when a slight disturbance took place.

Immediately the Police Assistant was informed of the disturbance, he with the Inspectors and others at once proceeded to the spot, where they met the Amildar and restored order by dispersing the crowd in the street.

The Police and the Amildar then conjointly conducted the 3 other processions through the Mosque street without molestation, the heads of these having no objection to observe the usual formality of discontinuing their music while

-ssing the Mosque, All was over by 11 A.M.

The next morning the Police reported to me the occurrence of the previous night bringing to my notice at the same time the neglect of duty on the part of one Lance Duffadar Abdula Khan, whom I have reduced to a peon in consequence.

In conclusion I may state that the whole disturbance was of such a trivial character and the Hindoos would appear to have known that they were in the wrong in not having stopped their music, while passing a Mosque, as they have lodged no complaints in my Court. I therefore trust that this explanation will close this correspondence.

The petitions are herewith returned.

I have &c.
(Signed) E. Shaw
Deputy Commissioner
Hassan District

Copy"

For Offg Judicial Commnr.

1
A. 57.

1875/76

From The Chief Secretary

To

Secretary to Chief Commissioner,
General Departm

Dated 24th December

Despatched 27

Received 28

ENCLOSURES NO. 1

General No. 2313 } 1875—76
No. 252 }

Brings to a
conclusion of the
of Mr Pearson in
this behalf by
homeward on the
of the Duparcq &c

Mr Lindsay Secretary
to Government with
Assistant Chief
Secretary has been pleased
to direct the consign
to Mr. Maynard of the
Mint two Specimens
of Coins of Native
Coinage of the Dist.

The Chief
Commissioner has no objection
to the Under
Secretary

A. 57.

1876.

№ 7584
1522

From

To The Offg Jud. Commr of Mysore

Dated 8th January 1876

Despatched

Received Regd 11th

ENCLOSURES NO.

General No. 7589

No.

Acknowledges receipt of letter № 2318/252 dated 24th ultimo, and calls for Mr Sreenivasa Iyengar's explanation regarding his conduct on the occasion of the late disturbance at Hassan.

Disn. № 2572, 11/286

The C

R.

No 7589
J 1522

In C.B.C.O.
8th January
1876.

To the Offg Jud Comr

Sir, In acknowledging
the receipt of your
Letter No 2318/252
of 24th Ult, bringing
to notice the conduct
of the Amildar
on the occasion of a
disturbance which
occurred at Hassan
on the last day of
the Dusserah Festival
I am directed to
observe that Asstt
Commr Mr Sreenivas
Iyengar seems to have
been present at the
time and to have
tacitly encouraged
the Amildar in
his

in direction of the
Landing Order of
Inds. etc. regulating
the conduct of
public assemblies
and processions, and
to request that you
will be good enough
to obtain that
Officer's explanation
~~Also the Journal of the~~
~~&c~~ and submit it
to this Office, that the
Commissioner
may
be
informed
thereon.

B. Jno C. Hedley
Asst
Copy to Comm A. Dept

1590
D. 1297

No. 2592
296

Mysore Inst. Commr's Office
Bangalore 12th February 1876

From

H. S. Prinsep Esquire
Offg Inst. Commissioner
in Mysore

To

The Secretary to the
Chief Commissioner
of Mysore

Sir,

As directed in your No. 7556 / 1522 of the 8th January last, I have the honor to forward (in original to be returned when no longer required) a docket No. 338 of the 4th Instant from the Commissioner of the Ashtagram Division, forwarding the explanation of Mr. Srinivas Iyengar with the Deputy Commissioner's remarks thereon, regarding the disturbance which occurred at Hassan on the last day of the Dussarah.

I have the honor to be
Sir
Your most Obedt. Servant

H. S. Prinsep

Offg Inst. Commissioner

N.Q.

1875/76

From

To

Secretary to Chief Commissioner,
General Departt

A. 31.

Dated 12th
Despatched 15-th
Received 15-th

No

ENCLOSURES NO

General No. 2592
No. 258 } 1875—76

As directed in
8th January last, forwa
original from the Com
Ashbingham with a copy
was Lingaia explanation
with the disturbance whi
Hassan on the last day
Aash festival.

Secly
17/2. JDAC.

1
A. 57

1876 Encl. 2 to 2

From

To The Hon. Governor Hapsam &c.

Dated 29 February 1876

Despatched 2nd March

Received Rec'd 8th

ENCLOSURES NO.

General No. 9262 S

No. 153

Your Letter No. 1464 of the 26th January 1876 & the Communication Hon. Colonial Secretary, Labuan, enclosing an explanation from Mr. Dewhurst regarding the disturbance which occurred at Hapsam on the last day of the Dusserah.

Requests the Hon. Commissioner to enquire into and report on the circumstance stated Mr. Dewhurst in the latter part of para 3 of his letter, viz., that the Mazua in question was recently built & that the Mafsalungans had entered into an agreement with Major

Forwarded to Hon. Governor Labuan 9.3.76

Letter to Headquarters
telegram
to [illegible] [illegible]
[illegible] [illegible] the
street. The [illegible]
unit also report [illegible]
the shooting about one-
half street, in an effort
either to [illegible] to make the changing
orders regarding the dis-
continuance of [illegible]
in force applicable
to the case.

By Order

[illegible]

A.51.

O. 1423
167

13/6.

From The Dy. Commissioner
Hafiz Dooke

To Secretary to Chief Commissioner,
General Department.

Dated 20th
Despatched 20th March 1876.
Received 23rd
Regd 23

ENCLOSURES NO.

General No.
Jud. No. 532 } 1875 : 76

Claim Cash - advanced
the Municipal Committee
& the Municipality under the
Police Station Building
is situated Dog. Jan the
Main Street, and so far has
it been the Deputy Commissioner
opinion the provisions of that
Order need not be complied with
&c -

Under the circumstances
the Assault Committee by
the Mussalmans appear to
have been a most unwarrantable
& improper proceeding - But the Municipality
by punishment seems to have
been inflicted on the Police by
the Magistrate, and from the
Petition which continues to come
in it appears that no further
violence has been taken of the
occurrence -

The conduct of the Police appears
to have been correct throughout
& praise be was
passed on - Though he was
present in the procession at
the time the
opposition was offered, he
left it, taking away with him
two Mussalman opponents of
the Police Dept (see Para 3 of Rep.
Asst Collr 4/30 Nov 1875 -
The Secretary is directed
(Para 3) that the Police
Asst made off, at the first appearance
of the disturbance - and even if
as Capt Shaw states, he the P. C.
had been ordered to endeavour
by conduct & most unexceptionable
his position & interest suffered
by the Police Commissioner
in Police Commissioner

Submits a Report on the
mosque, which formed
the subject of the disturbance
at Hafizganj and states that
no written agreement exists
on the part of the Mussalmans
to offer no obstruction to
religious processions
passing with music.

In his report he places his
recent visit to the different
places where Juma Masjids
were erected by the
Municipality in the Police
of 24 Pargannahs - In the first
place, the building has been
recently converted into a
mosque by a certain Section
of the Mussalman Community
and when the order issued
on their petition, they represented
that special permission
should be obtained, before any

Nowgong District - Engg Commissioner's Office,
Revised Report dated 30th March 1876

To,

The Secretary to the Govt of Assam,
Political and Commercial,

Sir,

With reference to your letter No 2262/G 1953 dated 29th February 1876, requesting to enquire into and report on the circumstance stated by Mr Sconce and Syed Ajeegar in the latter part of para 3 of his letter No 113 of 25th January 1876, I have the honor to report that the Mosque in question was a Moosafer khana so lately as the late Assistant Commissioner Ameer Ahmed Fadshaís days. This officer bought the building and made of it a Moosafer khana. Since then, although there is another Mosque in Nowgong, it has been used as a Mosque by certain sections of the Mussulman Community.

2.- There exists no written agreement on the part of the Mussulmen with Major Hill, to offer no obstruction to religious processions passing with Music

3. This Mosque is at about 60 yards from the street, and is connected therewith by a small road made recently, it would appear, by the removal of a house for which Compensation was given by the Municipality.

4. In my opinion, the Mosque is so situated, and so far removed from the Street, that no

inconvenience should be felt by men at their prayers inside, from any processional Music passing along the Street.

I have the honor to be,
Sir,
Your most obedient Servant.

Accountant

Dy. Commissioners
Warsaw District

bl

No 10848
F 2149

No 666
2 March 76

To

The Offg. Jud. Commr.
Fyzabad

Sir,

With reference to your letter No. 2592/280 of the 12th February 1876, forwarding an explanation from Mr. Srinivasangar regarding the disturbance which occurred at Hafsam on the last day of the Dusserah, I am directed to transmit for your information copy of another communication on the subject No. 532 & 20th instant from the Deputy Commr. of the Hafsam District, ~~which places the affair in a different light from that in which it was previously received.~~

It would appear that the building in which the Muhammadans were assembled had been recently converted into a Mosque by a certain Section of the Mahomedan Community - but ~~Government~~ under the Orders issued on this point it was requisite that special permission should be obtained before any claim could be advanced to the privilege conceded in the standing Order

Vide Letter

~~regarding the~~ discontinuance of music in religious processions while keeping Places of worship ~~from~~ [illegible] ~~not more than~~ from which the building referred to is situated 60 yards from the main street, and so far from it that in the Deputy Commrs. opinion the provisions of that Order need not be held applicable to it.

3 Under such circumstances the assault committed by the Mussalmans ~~on~~ Munk Lyakdev as narrated in the ~~Daily~~ ~~letter~~ ~~to have been most unjustifiable~~. ~~Notwithstanding no steps to have been taken to punish the Rioters.~~

4. Nerve ~~Nerves~~ The Offg. Chief Commr. ~~is~~ that the conduct of the Police Assistant Mr. Ganesh Dutt in this case cannot be overlooked. Though he was present in the premises and must have been fully aware of the ~~opposition~~ threatened ~~Journey~~ already ~~he~~ been ~~was~~ ~~Student~~ he left it taking away with him two Mussulman Officers of the Police Dept. ~~Mr. Armitage~~ ~~Mr. Armitage~~ ~~Police Supt.~~ ~~made off at the first signs of the disturbance, and even if no Captain Khan shakes, he had been ordered to stand by, his conduct was most rash~~

The orgl. enclosures are herewith

1875.

From

To

Dated 29th March 75

Despatched 3 April

Received

ENCLOSURES NO.

General No. 1084

No. 214

Sub-Commissioner
Dt. 12th February 75

Forwarding
letter from
Hassan - 536 do
on the disturbances
on the East Coast
Dessarah, with
and respecting
any ships
taken
writers

1034
2149

A-25

1876. 77 54

From The Assistant Commissioner
Cuttack

To

Secretary to Chief Commissioner,
General Department.

Dated 17th June 1876.

Despatched

Received 19 June 1876.

ENCLOSURES NO

General No. 515 } 1876
No. 62

With reference to my
No. 1031/8 dated 27th March
1876, I am directed to report, re-
garding the disturbance
which took place at Kassom
during the Rath Jattra
festival.

I have observed that the
enquiry has instituted by
the order of 29 March last
shows that so far from the
Hindus provocation being
to blame, as was first thought
the last Cuttack letter of 24 Sept.
the aggression was the act of
the Mahomedans instigated
by the Police
as is evident, if the Police-
cases shew this was the case
Commr. seems to have treated the
matter very lightly, and to have
laid himself open to the strictures
passed on his conduct by the
Judge.
The interference by Sir R. Meade
of the Attorney's order regarding

Re 515
62

Mysore Jud. Commr's Office
Bangalore 17th June 1876.

From.

J. D. Gordon Esquire C.S.
Judicial Commissioner
in Mysore.

To.

The Secretary to the
Chief Commissioner
in Mysore.

Sir.

I have the honor to acknowledge
the receipt of your letter No. 10,348/2,149 dated
29th March 1876, and as requested therein
to submit the following report regarding
the disturbance which took place at Hassan
during the last Dussara festival.

2. Upon a careful perusal of the
correspondence which had already taken
place on the subject, and of the explana-
tions which I have since then called for
from Captain Shaw and Amildar Sreeni-
vasaiengar, I am clearly of opinion that
the disturbance was a deliberate and un-
provoked act on the part of some of the
Mahomedan inhabitants of Hassan.
The Mosque, on behalf of which they

* Herewith sent in original.
From Captain Shaw No. 22
dated 5th May 1876 ——
From Deputy Commissioner Mysore
No. 353 dated 18th May 1876 (with)
Annexures enclosures. ——

the (space of time), which has taken place;
& accordingly it is only left to me now
to examine the conduct of the Police Officers
concerned, and where necessary to punish
them departmentally.

4- The Police Assistant Commissioner
who appears to have been present during
the greater part of the procession, is guilty
of serious dereliction of duty, in going away
just before the occurrence of the distur-
bance. Seeing what had already transpired
he had good reason to apprehend opposition
and breach of the peace from the Mahomedans,
and nothing can justify his neglect of his
manifest duty in the matter. His conduct
will now form the subject of Departmental
inquiry.

5- I take this opportunity to bring
to the Chief Commissioner's notice that some
measures are urgently required to be taken
in order that there may be no pretext or
occasion whatever in future, for distur-
bances like the present. The orders re-
quiring all processions to stop their music
when passing in front of places of worship
were originally passed by Mr Bowring in

vince by Sir R. Meade. Would you, order not be in existence now for 20 years, my own opinion on the matter would have been to regard public roads and streets as open to the public for all legitimate purposes, and to the Grievance of all authorized processions. I would impose upon such processions no restrictions or interruptions of any kind, except to the extent of requiring them, when passing in front of places of worship, not to stop there for the purpose of annoyance or insult. But, having regard to the fact that the orders in question have been in force for some years, and have been in a measure generally observed, and looking also to the circumstance that these orders have already created and fostered a sense of right, as it were, on the part of certain places of worship and those frequenting them, and that they have tended to intensify the religious feeling involved, I would not now advocate any violent change, but would seek to prevent the abuse of the concession by limiting the privilege in question to a few carefully selected Mosques and temples. I think that in each large town there

should ordinarily be but one place of worship of each religion, which should have the privilege in question. They should all be carefully selected with due regard to their importance and antiquity, and specially too with reference to their proximity and position to the Public Road. In some of the larger towns it may be desirable perhaps to select two places of worship for each religion, but this number should not in any case be ex-ceeded. After careful selection, which with the Chief Commissioner's approval can easily be made by me as a Police matter, in com-munication with the Local Officers, the places selected should be regularly registered, both in the Office of the Inspector General of Police, and in the different District Magis-trates Offices. A list of these places should be published in the Local Gazette, and so much of it as may relate to each Town should be clearly made Known to the in-habitants in it. When this has been done, all claims to the privilege in question for other than registered places of worship should be sternly discountenanced, and all attempts

such claims are punished

public peace. At present there is a degree of vagueness and uncertainty as to the particular buildings entitled to the privilege in question, and there is also [illegible] considerable difficulty in regard to new Mosques and temples of a petty character, which appear to be increasing in number every where. It is chiefly with reference to such new buildings and others whose claim to the privilege has not been acknowledged, that disturbance of the peace frequently takes place. It is of the utmost importance that there should be no room for any doubt in the matter, and I accordingly earnestly urge these proposals on the Chief Commissioner's early consideration.

I have the honor to be
Sir
Your most obedt Servt

J. D. Jordon

Judicial Commissioner

a/19

No. 3019
Q 501

Proceedings of the Chief Comptr of Bengal in the Judicial Department. Dated Bengalee June 1876.

Letter from the Judicial Comptr of Bengal No. 515/62 Dated 17th June 1876 with Enclosures.—

Order thereon

In the foregoing letter the Judicial Comptr submits the result of the Enquiry instituted by him under the Orders conveyed in this Office letter No. 10348/2149 Dy. 29th March 1876, in connection with the disturbance which took place at Kapasia on the last Day of the Brussera festival.—

2. The Chief Comptr entirely concurs in the views expressed by Mr. Gordon in regard to the Enquiry instituted by Captain Shaw on the occasion referred to, in not only failing to make a searching and prompt Enquiry into the nature of the disturbance, but in urging the Amildar to compromise the matter, both aware as he must have been, that the latter had been severely beaten by

An excited mob whose ringleaders ought to have been apprehended and severely punished for opposing and maltreating an Officer of his grade and responsible position while in the Execution of his duty.

3. As proposed, in para 5, to limit the privileges regarding procession to be for carefully selected Morgues and Temples throughout the Province and to have such places of worship duly registered, is approved.

22/6/76
W.S.

To The Govt. Chaplain.
Returning Enclosure

9
A-25

1876.

From

To The Imperial

Dated 23 June 1876.

Despatched 26

Received Aug. 29

ENCLOSURES NO.

General No. 3019 } 187
No. 1501

Communicates currency in the Exchequer in regard to the discharges by in the last day

Copy sent to Treasury with Dft dated 12/7/76